

Article - State Government

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§20–610.

(a) In this section, “intern” means an individual who performs work for an employer for the purpose of training if:

(1) the employer is not committed to hire the individual at the conclusion of the training period;

(2) the employer and the individual agree that the individual is not entitled to wages for the work performed; and

(3) the work performed:

(i) supplements training given in an educational environment that may enhance the employability of the individual;

(ii) provides experience for the benefit of the individual;

(iii) does not displace regular employees; and

(iv) is performed under the close supervision of existing staff.

(b) An employer may not:

(1) fail or refuse to offer an internship, terminate an internship, or otherwise discriminate against an individual with respect to the terms, conditions, or privileges of an internship because of the individual’s race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability unrelated in nature and extent so as to reasonably preclude the performance of the internship;

(2) limit, segregate, or classify its interns or applicants for internships in any way that would deprive or tend to deprive any individual of internship opportunities or otherwise adversely affect the individual’s status as an intern because of the individual’s race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability unrelated in nature and extent so as to reasonably preclude the performance of the internship;

(3) fail or refuse to make a reasonable accommodation for the known disability of an otherwise qualified intern; or

(4) discriminate or retaliate against any of its interns or applicants for internships because the individual has:

(i) opposed any practice prohibited by this subtitle; or

(ii) made a charge, testified, assisted, or participated in any manner in an investigation, a proceeding, or a hearing under this subtitle.

(c) (1) Except as provided in paragraph (2) of this subsection, an employer may not print or cause to be printed or published any notice or advertisement relating to an internship with the employer that indicates any preference, limitation, specification, or discrimination based on race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability.

(2) A notice or an advertisement may indicate a preference, limitation, specification, or discrimination based on religion, sex, age, national origin, marital status, or disability if religion, sex, age, national origin, marital status, or disability is a bona fide occupational qualification for the internship.

(d) An intern claiming to be aggrieved by an alleged discriminatory act prohibited under this section:

(1) shall have access to any internal procedure the employer has for resolving a complaint by an employee of sexual harassment or other discrimination; or

(2) if the employer does not have an internal procedure for resolving a complaint of sexual harassment or other discrimination, may file a complaint with the Commission for the nonmonetary administrative remedies provided under Subtitle 10 of this title.

(e) This section does not create and may not be construed as creating an employment relationship between an employer and an intern for the purposes of:

(1) a civil cause of action or monetary damages under Subtitle 10 of this title;

(2) any provision of the Labor and Employment Article; or

(3) any provision of the State Personnel and Pensions Article.

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